

**PRINT in BLACK ink**

Enter the name of the county in which this case is filed.

**STATE OF WISCONSIN, CIRCUIT COURT,**

*For Official Use*

**COUNTY**

Enter the name of the petitioner. If joint petitioners, enter the name of the wife.

In re the marriage of:

**Petitioner/Joint Petitioner-Wife:**

First name

Middle name

Last name

and

**Findings of Fact,  
Conclusions of Law, and  
Judgment**

Without Minor Children

Enter the name of the respondent. If joint petitioners, enter the name of the husband.

**Respondent/Joint Petitioner-Husband:**

First name

Middle name

Last name

Check divorce or legal separation.

☐ **Divorce-40101**

☐ **Legal Separation-40201**

Enter the case number.

Case No. \_\_\_\_\_

## **FINAL HEARING**

**A final hearing was conducted in this matter as follows:**

Enter the name of the court official who granted the judgment and the address and date [month, day, year] on which it was granted.

1. Before: \_\_\_\_\_  
Judge or Family Court Commissioner

2. Location: \_\_\_\_\_  
\_\_\_\_\_

3. Date: \_\_\_\_\_

## **APPEARANCES**

Check one box from 1 and check a or b.

If b, enter the name of the attorney.

1. Petitioner / Joint Petitioner-Wife:

☐ Appeared **in person** ☐ appeared **by phone** ☐ **did not appear** **AND**

a. ☐ Was self-represented.

b. ☐ Was represented by Attorney \_\_\_\_\_.

2. Respondent / Joint Petitioner-Husband:

☐ Appeared **in person** ☐ appeared **by phone** ☐ **did not appear** **AND**

a. ☐ Was self-represented.

b. ☐ Was represented by Attorney \_\_\_\_\_.

3. Others appearing at the hearing:

a. ☐ None

b. ☐ Other \_\_\_\_\_.

Check one box from 2 and check a or b.

If b, enter the name of the attorney.

Check a, or b.

If b, enter the name of the individual(s) who appeared.

## FINDINGS OF FACT

### A. Jurisdiction

1. All necessary parties have been properly served and 120 days have lapsed since the filing of the joint petition or the date of service of the summons and petition, whichever applies.
2. At the time of the final hearing, the parties requested a:
  - a. ☐ **Divorce:** The court finds the marriage is irretrievably broken.
  - b. ☐ **Legal Separation:** The court finds the marital relationship is broken and acceptable reasons have been given to the court for the request.
3. All jurisdictional requirements for a judgment have been met.

Check a or b.

### B. Parties (as of the date of the final hearing):

1. The wife in this action is:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Social security number \_\_\_\_\_  
Date of birth \_\_\_\_\_  
Gross monthly income \$ \_\_\_\_\_

Enter the requested information about the wife. If you do not know an answer, enter "unknown" in the blank.

2. The husband in this action is:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Social security number \_\_\_\_\_  
Date of birth \_\_\_\_\_  
Gross monthly income \$ \_\_\_\_\_

Enter the requested information about the husband. If you do not know an answer, enter "unknown" in the blank.

### C. Children

1.
  - a. ☐ No children were born to or adopted together by the parties before or during the marriage.
  - b. ☐ All children born to the wife or adopted together by the parties before or during the marriage as set forth in the Petition.

Check a or b. .

2. The wife:

- a. ☐ is not currently pregnant.
- b. ☐ is currently pregnant and
  1. ☐ The husband is found to be the father.
  2. ☐ The husband is not found to be the father and the marital presumption in ch. 891.41(2) Wis. Stats. has been rebutted.
    - A. ☐ A paternity case is not pending
    - B. ☐ A paternity case is pending in \_\_\_\_\_ county in the state of \_\_\_\_\_ with case number \_\_\_\_\_.

Check a or b.

If b, check 1 or 2.

If 2, check A or B.

If B, enter the name of the county and state in which the case is pending and write the case number assigned to it.

3. The parties' assets, their interests, values, and their encumbrances and debts are found to be as stated in the Financial Disclosure Statements, which were updated as required by statute on the record at the time of trial and are on file.
4. A Marital Settlement Agreement or Proposed Marital Settlement Order has been submitted. The party(s) have asked that it be approved by the Court. All parties present have been informed of the legal consequences if the Court approves the document in whole or in part.

**5. Maintenance Arrearages**

5.a. or b. For Court Use Only.

If 1, enter the date [month, day, year].

If 2, enter the amount of the monthly payment and the month and year on which the payments shall begin.

The amount of the arrearages for maintenance at the time of the final hearing is:

- a. ☐ None (zero).
- b. ☐ \$\_\_\_\_\_, which shall earn interest at the rate of \_\_\_\_\_% per year and shall be paid by:
1. ☐ A one-time payment to the WI SCTF no later than (date) \_\_\_\_\_.
2. ☐ Through income withholding by the WI SCTF in the amount of \$\_\_\_\_\_ per month beginning on the first day of the month of \_\_\_\_\_, 20\_\_\_\_\_ until the arrearages are paid in full.

**CONCLUSIONS OF LAW AND JUDGMENT**

**A. The Court grants a judgment of:**

1. ☐ **Divorce:** The marriage between the parties is dissolved and the parties are divorced.

The parties are informed by the court that under sec. 765.03(2) Wis. Stats.:

**It is unlawful for any person who is or has been a party to an action of divorce in any court in this state, or elsewhere, to marry again until six months after judgment of divorce is granted, and the marriage of any such person solemnized before the expiration of six months from the date of the granting of judgment of divorce shall be void.**

2. ☐ **Legal Separation:** The marital relationship is broken and the parties are granted a judgment of legal separation.

The parties are informed by the court that under sec. 767.09 Wis. Stats.:

**In case of reconciliation at any time, the parties may apply for a revocation of the judgment of legal separation. And, by stipulation of both parties, or upon motion of either party not earlier than one year after entry of a decree of legal separation, the court shall convert the decree to a decree of divorce.**

Check 1 or 2.

**a and b-For Court Use Only.**

[illegible]

Failure of an employer to pay the proper amount shall not be a defense for failure to pay the proper amount. If an employer fails to take out the correct amount for maintenance, the party paying is responsible for paying the full and correct amount directly to WI SCTF.

Pursuant to sec. 767.29(1)(d) Wis. Stats., the party making payment for maintenance is responsible for payment of the annual receiving and disbursing fee to WI SCTF.

3. If maintenance is not denied, both parties shall notify, in writing, the other party and the Clerk of Court and the Child Support Agency of the county in which this action is filed, within 10 business days, of any change of employer and employer's address.
4. Pursuant to sec. 767.265 Wis. Stats., a withholding assignment or order under this section has priority over any other assignment, garnishment, or similar legal process under Wisconsin law. The employer shall not withhold more of the employee's disposable income than allowed pursuant to the Federal Consumer Credit Protection Act unless the employee agrees to have the full amount withheld. No employer may use an assignment under this section to deny employment, or to discharge or take disciplinary action against an employee.

**F. Court Ordered Fees**

All payments of attorney fees shall be paid directly to the attorney or to the agency providing services which may enforce the order in its name.

**G. Restraining Order**

Both parties are restrained from interfering with the personal liberty of the other.

**H. Non-Compliance**

Disobedience of the court orders is punishable under ch. 785 Wis. Stats. by commitment to the county jail until the judgment is complied with and the costs and expense of the proceedings are paid or until the party committed is otherwise discharged, according to law.

**I. Entry of Judgment**

The Clerk of Court's office, per sec. 806.06(1)(2) Wis. Stats., shall enter this judgment by affixing a file stamp that is dated.

**BY THE COURT:**

\_\_\_\_\_  
Circuit Court Judge/Circuit Court Commissioner

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Date

**For Court Use Only**

**APPROVED AS TO FORM BY:**

\_\_\_\_\_  
Petitioner/ Joint Petitioner-Wife

\_\_\_\_\_  
Respondent/Joint Petitioner-Husband

All parties to the action should approve how accurately the form has been completed before the judge signs it. The parties must approve by signing in the space to the right.